

## **COMMISSION MEETING MINUTES**

### **Indiana Fire Prevention and Building Safety Commission**

Government Center South  
402 West Washington Street  
Indianapolis, Indiana 46204  
Conference Room B

August 7, 2007

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Vice-Chairman Howard Cundiff at 9:01 a.m. August 7, 2007.

- (a) Commissioners were present at the Commission meeting:

Diana M. H. Brenner  
Michael Christoffersen  
Michael Corey  
Howard W. Cundiff, Vice-Chairman, representing the Commissioner, Department of Health  
Kevin Goeden, representing the Commissioner, Department of Labor  
John Hawkins  
M. Burke Jones  
Ted Ogle  
James Ridley

Commissioners not present at the Commission meeting:

Jay Gore  
David Hannum, Chairman

- (b) The following departmental and support staff were present during the meeting:

Agency Support Services, Legal and Code Services  
Mara Snyder, Director, Legal and Code Services  
William Teegarden, Executive Administrative Law Judge  
John Haines, Code Specialist  
John Hibner, Code Specialist  
Bob Robinson, Code Specialist  
Beth Sutor, Secretary

2. **Old Business.**

Vice-Chairman Cundiff called for any corrections or a motion to approve the minutes of the July 3, 2007 meeting as distributed. A motion to approve the minutes was made by Commissioner Jones and seconded by Commissioner Ridley. It was voted upon and carried.

3. **Ordinances.**

Shelly Wakefield, Director, Fire and Building Code Enforcement, introduced the Building Code Ordinance No. 2007-09 of LaPaz, Indiana for consideration, recommending approval. Commissioner Christoffersen moved to approve with the second by Commissioner Jones. It was voted upon and carried.

4. **Variances.**

**Tabled Variances.**

Variance 07-06-9, College Wesleyan Church, Marion, was requested by the proponent to be tabled until September. Commissioner Ogle moved to table with the second by Commissioner Christoffersen. It was voted upon and carried. Variance 07-06-21(e), Honda P2MF, Greensburg had no proponent. Commissioner Hawkins moved to table with the second by Commissioner Ridley. It was voted upon and carried. Variance 07-06-60, National Auto & Truck Museum Service Building Sprinkler, Auburn, had no proponent. Commissioner Ogle moved to table with the second by Commissioner Jones. It was voted upon and carried. Variances 07-07-6 Sursa Hall MIBI, Ball State University Smoke Detection Interruption, Muncie, 07-07-7 Emens Auditorium, Ball State University Smoke Detection Interruption, Muncie, and 07-07-9 Worthen Arena Smoke Detection Interruption, Ball State University, Muncie, were represented by Joe Scott, Muncie Fire Marshal. He stated he was okay with the variances as long as they adhere to the agreement and are notified before each program turn-off. After discussion, Commissioner Ogle moved to approve all three with the condition the fire department is notified as described in the agreement. Commissioner Ridley made the second. It was voted upon and carried. Variance 07-07-40(b) GETRAG Project Tequila, Tipton, was represented by Phil Seaman and Tom Brockway of Harley, Ellis and Devereaux. He explained the building is 33 feet to the roof decks which would mean 300,000 cubic feet of smoke would have to be generated before it reaches the breathing area of 7 feet above the floor. They have extra hazard sprinklers in the manufacturing area with redundant water tanks for the area. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

**Regular Variances.**

Variance 07-08-27 was called out for individual consideration. Commissioner Jones made the motion to approve the following variances with an "A" or "B" review rating by staff with the second being made by Commissioner Corey. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 07-08-1 R.H. Yoder Woodworking LLC, Shipshewana
- (2) 07-08-2(a)(b) Morrison Residence Hall Anderson University, Anderson
- (3) 07-08-4 Statford Commons Fire Hose Removal, Elkhart
- (4) 07-08-8(a) Shipshewana Water Park, Shipshewana
- (5) 07-08-9 Department of Child Services, Indianapolis
- (6) 07-08-14 Common Ground Christian Church Lift, Indianapolis
- (7) 07-08-15 St. Vincent Carmel Hospital 2<sup>nd</sup> & 3<sup>rd</sup> Floor Renovation, Carmel
- (8) 07-08-16 Calumet Surgery Center, Calumet

- (9) 07-08-19 IUSB Student Housing and Community Center, South Bend
- (10) 07-08-22 Hilton Garden Inn, Edinburgh
- (11) 07-08-28(a)(b)(c) University of Indianapolis Schwitzer Student Center Addition, Indpls.
- (12) 07-08-30 Chase Bank Building Removal of Fire Hoses, Merrillville
- (13) 07-08-35 Fairbanks Addition Treatment Center, Indianapolis
- (14) 07-08-37(a)(b)(j) Indiana Convention Center Expansion, Indianapolis
- (15) 07-08-39 Meridian Arch Condominiums, Indianapolis

The following variances were heard separately:

- (16) 07-08-3 University of Evansville Hale Hall Remodel, Evansville

Larry Horn, Director of Facilities, spoke as proponent. The request was to allow accessible restroom facilities to be on only the first floor in the existing building. There is no elevator to the upper floors of the dorm, so the upper floors have never been accessible. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

- (17) 07-08-2(c) Morrison Residence Hall Anderson University, Anderson

Mike Montgomery, K R Montgomery and Associates, spoke as proponent. He requested to be allowed to enclose a stairway with a 36" landing instead of the required 44" in the existing building. There is a possible occupancy load of 16 to 20 people on the floor involved. The building will be sprinklered. After discussion, Commissioner Christoffersen moved to approve. Commissioner Ogle made the second. It was voted upon and carried.

- (18) 07-08-5 St. Elizabeth Regional Health New Acute Hospital, Lafayette

Charles Keslin, Keslin Engineering, spoke as proponent. He requested that he be allowed to use the seismic design requirements found in the 2006 International Building Code and ASCE 7-2005. After discussion, Commissioner Hawkins moved to approve. Commissioner Brenner made the second. It was voted upon and carried.

- (19) 07-08-6 Driftys Sports Pub, Indianapolis

Timothy Callas, J & T Consulting, spoke as proponent. It was found that the application had been signed by the tenant, not the owner of the building, making the application incomplete and not eligible to be heard. Commissioner Brenner moved to table with the second by Commissioner Christoffersen. It was voted upon and carried.

- (20) 07-08-7 Krystar Bagger Addition, Lafayette

Timothy Callas, J & T Consulting, spoke as proponent. The request was to omit roof drains in the Class A roof over the dry bagging operation due to the fear of leaks. The area is separated by a 4-hour fire wall, and 85% of the building is sprinklered. After discussion, Commissioner Hawkins moved to approve. Commissioner Ridley made the second. It was voted upon and carried.

- (21) 07-08-8(b) Shipshewana Water Park, Shipshewana

Timothy Callas, J & T Consulting, spoke as proponent. The request was to allow the two buildings to be treated as one since the building meets the 13-R requirements and the canopy is within the allowable height and area. The local fire department is of the opinion the canopy should be sprinklered. After discussion, Commissioner Christoffersen moved that no variance was required with the second by Commissioner Ridley. It was voted upon and carried.

- (22) 07-08-10 Lushin & Associates New Building, Indianapolis

Richard Thomason, architect, spoke as proponent. The request was to allow a shower room to be used exclusively by the owners of the building to be non-accessible due to space restraints. After discussion, Commissioner Christoffersen moved to approve. The second was made by Commissioner Hawkins. It was voted upon and carried.

- (23) 07-08-11(a)(b) Anderson High School Phase 3, Anderson

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (b) which concerned deleting the required fire-rating for exit corridors was heard first. This request was the same request as in two prior variances with the same alternatives. Commissioner Christoffersen moved to approve with the second by Commissioner Brenner. It was voted upon and carried. Variance (a) concerned the deletion of a required 4-hour fire wall during the in-fill of a courtyard of the building which is to be completely sprinklered by December, 2010. It was the same request as in two prior variances with the same alternatives. Commissioner Brenner moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried with the condition that the building be completely sprinklered by December of 2010.

5. **Breaking and reconvening.** Vice-Chairman Cundiff recessed the Commission at 9:59 am. He then reconvened the meeting, calling it back to order at 10:13 am.

- (24) 07-08-12 Marion County Jail Fire Alarm System Replacement, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow the use of a guard for the smoke detectors which has not been listed by UL, but is pending. After discussion of the choice of non-listed guards and the on-going installation of the smoke detectors, Ralph Gerdes requested the application be tabled to allow him to check with UL to see if the cover is now listed and to determine the number of smoke detectors involved. Commissioner Ogle moved to table for a period of one month with the second by Commissioner Hawkins. It was voted upon and carried by a vote of 6-3.

- (25) 07-08-13 Emmerich Manual High School, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to omit sprinklers in a 240 square foot entry vestibule. The vestibule is unheated and will have no combustible loading. The rest of the building is sprinklered. Commissioner Christoffersen moved to approve with the second by Commissioner Brenner. It was voted upon and carried.

- (26) 07-08-17 Clarian Education Resource Center, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the use of a magnetic card security system in the building for medical training which houses multiple departments. The card system will affect the second exits doors for some departments. The doors would fail open at loss of power, sprinkler flow or alarm activation. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Jones. It was voted upon and carried.

- (27) 07-08-18 First General Baptist Church, Kokomo

Doug Trent, RTM Consultants, spoke as proponent. He requested to delete the sprinkler system from the multi-use church building. The building is in a rural setting with no plans for public water supply development in the area. Manual fire alarms will be installed as well as a smoke detection system. A freestanding 2-hour fire wall will be provided. Commissioner Christoffersen moved to approve with the condition that an automatic smoke detection system is installed. The second was made by Commissioner Hawkins. It was voted upon and carried.

- (28) 07-08-20 Louisville Athletic Club, Clarksville

Joel Ganeo, architect, spoke as proponent. The request was to allow a mezzanine of 8,000 square feet to be installed in the sprinklered, Type-2 construction building. The area is to be used for workouts with fitness equipment. There will be three exits, two of which will be enclosed. After discussion, Commissioner Christoffersen moved to deny. Commissioner Jones made the second. It was voted upon and carried with one nay.

- (29) 07-08-23 Renaissance Bay Development, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Mara Snyder requested some guidance by the Commission on how they wished to approach the filing of variance application in project such as these where multiple buildings with multiple addresses are involved. After a lengthy discussion, it was decided that each building, though listed under the same project number, would have a separate variance application with its address as the means of identification. The request in this variance was to omit the property lines in the townhouses. They will have structurally independent 2-hour walls and sprinkler systems. After discussion, Commissioner Christoffersen moved to deny with the second by Commissioner Cundiff. It was voted upon and failed to carry with a vote of 2 to 7. Commissioner Hawkins moved to approve with the condition they must have structurally independent walls and 13R sprinkler systems. It was seconded by Commissioner Brenner, voted upon and carried with one nay.

- (30) 07-08-24 Indianapolis Airport Parking Garage (New), Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. The request was to be allowed to install six machine room-less elevators that comply with current code. After discussion, Commissioner Corey moved to approve with the condition of compliance with the 2004-2005 supplement. Commissioner Ridley made the second. It was voted upon and carried.

- (31) 07-08-25 ISU University Hall College of Education, Terre Haute

Melissa Tupper, RTM Consultants, spoke as proponent. The request is to allow a large, non-rated opening in a fire wall. Sprinklers will be positioned on each side of the opening per the illustration in the application. After discussion, Commissioner Christoffersen moved to approve with the condition the sprinklers are installed on both sides of the opening. The second was made by Commissioner Ridley. It was voted upon and carried.

- (32) 07-08-26 Anthony Wayne Rehabilitation Center, Ft. Wayne

Ed Rensink, RTM Consultants, spoke as proponent. The request was to delete the required sprinkler system in the I-occupancy building, stating that the \$72,000 cost would be prohibitive. The Ft. Wayne Fire Marshal, Jim Maura, spoke to the Commission, urging denial of the variance application. After discussion, Commissioner Ogle moved to deny. Commissioner Ridley made the second. The motion to deny was voted upon and carried.

- (33) 07-08-27 Brownsburg Public Safety Facility Renovation, Brownsburg

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit one of the required exits from the sleeping quarters which have no windows on the second floor. The building is sprinklered. After discussion and noting that a similar variance had previously been approved, Commissioner Ogle moved to approve with the second by Commissioner Ridley. It was voted upon and carried with one nay vote.

- (34) 07-08-29(a)(b) Indiana State University College of Business Building, Terre Haute

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was to allow the addition to be completed before the entire existing building is sprinklered as well. The building is owned by the Post Office and is being handed over to the school in stages, with the completion of the third and final stage in January, 2011. After discussion, Commissioner Hawkins moved to approve with the variance to expire on January 31, 2011. It was second by Commissioner Ogle. It was voted upon and carried. Variance (b) was to omit the sprinklers in the elevator hoist ways. Commissioner Corey moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

6. **Breaking and reconvening.** Vice-Chairman Cundiff recessed the Commission at 12:03 p.m. He then reconvened the meeting, calling it back to order at 12:14 p.m.

- (35) 07-08-31 Hanover College Crowe Hall Renovation, Hanover

Christina Colleser, RTM Consultants, spoke as proponent. An existing dorm is being renovated with the addition of fire alarms and elevator. Because of the space constraints, the elevator will be opening into a basement stairwell which is being enclosed. The basement will have an occupant load of 12. The request was to allow an elevator to open into a rated stair enclosure. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Jones. It was voted upon and carried.

- (36) 07-08-32 Reid Hospital, Richmond

Ed Rensink, RTM Consultants, spoke as proponent. The request is to allow the use of flow control devices in the faucets in lieu of required aerators. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

- (37) 07-08-33(a)(b) Jay C Grocery Store Renovation, Salem

John Berry, Cole-Russell Architects, spoke as proponent. Variance (a) dealt with the addition of a 19,000 square foot loading dock putting the building over-area for the construction type. It does not comply with the 60' side yard requirement for an unlimited area building. Variance (b) dealt with the dock addition to the existing building putting it over-area for construction type and the building not being fully sprinklered which is required for an unlimited area building. After discussion, Commissioner Ridley moved to approve both with the second by Commissioner Jones. It was voted upon and carried.

- (38) 07-08-34 Bodner King Cole – Envus Building, Indianapolis

Tim Callas, J & T Consulting, spoke as proponent. The request was to allow an existing building with a restaurant in the basement served by only one exit to increase their occupancy load from 256 to 326 without adding the required additional exit. After discussion, Commissioner Hawkins moved to deny. Commissioner Brenner made the second. It was voted upon and carried with one nay vote.

- (39) 07-08-36(a)(b) The Cheesecake Factory Restaurant Greenwood Park Mall, Greenwood

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) is a request to be allowed to consider the restaurant as part of the unlimited area as allowed under the 2006 International Building Code. It is designed as a 2-B building with close-spaced sprinklers on the room side of the exterior wall of the restaurant which faces the existing building. Variance (b) is to allow the restaurant to exceed its' allowable area. After discussion, Commissioner Ogle moved to approve both. Commissioner Jones made the second. It was voted upon and carried.

- (40) 07-08-37(c)(d)(e)(f)(g)(h)(i) Indiana Convention Center Expansion, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. Variance (c) was to allow the pre-function gathering area to be open to the first and second floors and separated from the third floor which will not be leased for convention use by two-hour construction. After discussion, Commissioner Christoffersen moved to approve. Commissioner Hawkins made the second. It was voted upon and carried. Variance (d) was to allow 400' travel distances from certain areas of the building. The building is fully sprinklered, and roof heights of 58-65 feet above the floor allow for additional egress time. Commissioner Brenner made the motion to approve with the second by Commissioner Jones. It was voted upon and carried. Variance (e) deals with the area to be used for bleacher storage. This area, separated by a chain link fence and locked gate, will have a sprinkler density of 0.3/2500. Commissioner Christoffersen moved to approve with the condition that the sprinkler density be 0.3/2500 for the storage area. Commissioner Ridley made the second. It was voted upon and carried. Variance (f) was to allow the ramp on the second floor to exceed the allowable length due to existing floor level changes in the convention center. This ramp is to be used by the public in emergency situations only and not as a regular means of egress. Commissioner Christoffersen moved to approve with the second by Commissioner Hawkins. It was voted upon and carried. Variance (g) is a request to not comply with the number of water fountains required by

the occupant load. Water fountains which are installed will be located by new elevators per the submitted plans. The facility has a free water distribution policy which makes the number of fountains required excessive. Commissioner Ridley moved to approve with the second by Commissioner Jones. It was voted upon and carried. Variance (h) deals with the steel structures of the entry cube which will not be rated 2-hour per code. They will be protected with sprinklers positioned at the top of the columns to wet the steel and webbing in addition to the regular sprinklers. Commissioner Ogle moved to approve with the second by Commissioner Jones. It was voted upon and carried. Variance (i) was to allow the steel support structures for the second floor to not be rated 2-hour as per code. They will be protected with a line of sprinklers run to within 2 feet of the edge of the balcony with a density of 0.3/2500. Commissioner Hawkins moved to approve with the condition the density be 0.3/2500. Commissioner Ogle made the second. It was voted upon and carried.

(41) 07-08-38 A Children's Habitat Preschool Remodel, Indianapolis

Greg Klug, Association President, spoke as proponent. An existing classroom is being divided into 2 smaller classrooms and will have their own restrooms installed. The request was to allow the existing accessible restroom to be used to comply with requirements instead of making two of the four new restrooms accessible. This would reduce the amount of usable floor space to below what is needed to conduct Montessori-style classes. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Jones. It was voted upon and carried with one nay.

7. **New Business – General.**

Discussion and Commission Action On Petitions For Review (All are timely field unless otherwise noted.)

Ultimate Place 2 B  
Order – Division of Fire and Building Code Enforcement

6820 Parkdale Place, Indianapolis  
Correction Order – Elevator and Amusement Safety Division

Teague Building  
Order – Division of Fire and Building Code Enforcement

Commissioner Jones moved to approve the petition for review. Commissioner Corey made the second. It was voted upon and carried.

8. **Discussion of Proposed Codes.**

Mara Snyder, Director, Code and Legal Services, distributed copies of the proposed Building Code, Fire Code, Mechanical Code, Fuel Gas Code, and amendments to the 2005 Indiana Residential Code to the Commission. The members of staff who had prepared the proposed codes were asked to present a short synopsis of each to the Commission. Ms. Snyder also asked the members of the Commission to pay attention concerning the definition of the term "commercial".



9. **Comments.**

Mara Snyder, Director, Code and Legal Services, thanked the Commissioners for attending and bade them a safe journey home.

10. **Adjournment.**

Vice-Chairman Cundiff called for further business. There being none, he adjourned the meeting at 1:43 p.m.

**APPROVED**

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David Hannum, Chairman